

David J. Merrill  
Nevada Bar No. 6060  
David J. Merrill, P.C.  
10161 Park Run Drive, Suite 150  
Las Vegas, Nevada 89145  
Telephone: (702) 566-1935  
E-mail: david@djmerrillpc.com  
Counsel for Brian Shapiro, Trustee  
of the R & S St. Rose Lenders, LLC  
Liquidation Trust

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

In re:

R & S ST. ROSE, LLC,  
  
Debtor.

Case No. 2:17-CV-01301-MMD  
Bankruptcy Case No.: 11-14974-mkn  
Chapter 11

BRANCH BANKING AND TRUST  
COMPANY,

Appellant,

v.

R & S ST. ROSE LENDERS, LLC; R &  
S ST. ROSE, LLC; R & S INVESTMENT  
GROUP, LLC; COMMONWEALTH  
LAND TITLE INSURANCE COM-  
PANY; THE CREDITOR GROUP; and  
THE U.S. TRUSTEE,

Appellees.

*Stipulation and Order for Extension of  
Time to File Answering Brief  
(Third Request)*

The parties stipulate as follows:

1. On April 30, 2018, the Court entered a Stipulation and Order for Extension of Time to File Answering Brief because the parties were engaged in new settlement discussions and to accommodate counsel for R & S St. Rose Lenders,

1 LLC Liquidation Trust who had a family emergency. (ECF No. 34.) The order re-  
2 quired the appellees to file an answering brief on or before May 2, 2018. (*See id.*)

3 2. The parties stipulate to further extend the time for the appellees to file  
4 an answering brief to May 4, 2018.

5 3. The reason for the requested extension is two-fold. First, to enable the  
6 parties to continue the settlement discussions, which are on-going. Second, special  
7 counsel for Appellee R & S St. Rose Lenders, LLC, who is drafting the answering  
8 brief, needed a bit more time after the family emergency than he anticipated to fin-  
9 ish the brief and appendix.

10 4. To enable the parties to engage in further settlement negotiations and  
11 accommodate counsel's family emergency, the parties stipulate that the appellees  
12 shall have up to and including May 4, 2018, to file their answering brief. The appel-  
13 lant shall then have up to and including May 18, 2018, to file any reply brief.

5. The parties have not entered into this stipulation for any purpose of delay.

Dated this 1st day of May 2018.

David J. Merrill, P.C.

Holland & Hart LLP

By: /s/ David J. Merrill  
David J. Merrill  
10161 Park Run Drive, Suite 150  
Las Vegas, Nevada 89145  
Attorney for Brian Shapiro as Trustee  
of the R & S St. Rose Lenders, LLC Liq-  
uidation Trust

By: /s/ Joseph G. Went  
Joseph G. Went  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, Nevada 89134  
Attorneys for Branch Banking and  
Trust Company

Early Sullivan Wright Gizer & McRae,  
LLP

Ghandi Deeter Blackham

By: /s/ Scott E. Gizer  
Scott E. Gizer  
601 South 7th St., 2nd Floor  
Las Vegas, Nevada 89101  
Attorneys for Commonwealth Land Ti-  
tle Insurance Company

By: /s/ Nedda Ghandi  
Nedda Ghandi  
725 South 8th Street, Suite 100  
Las Vegas, Nevada 89101  
Attorney for Brian Shapiro as Trustee  
of the R & S St. Rose Lenders, LLC Liq-  
uidation Trust

Holley Driggs Walch Fine Wray Puzey  
& Thompson

Garman Turner Gordon

By: /s/ Ogonna M. Brown  
Ogonna M. Brown  
400 South 4th St., 3rd Floor  
Las Vegas, Nevada 89101  
Attorneys for R & S Investment Group

By: /s/ Talitha Gray Kozlowski  
Talitha Gray Kozlowski  
650 White Drive, Suite 100  
Las Vegas, Nevada 89119  
Attorneys for the Creditor Group

Schwartz Flansburg, PLLC

By: /s/ Samuel A. Schwartz  
Samuel A. Schwartz  
6623 Las Vegas Blvd. S., #300  
Las Vegas, Nevada 89119  
Attorneys for R & S St. Rose, LLC

IT IS SO ORDERED:

  
UNITED STATES DISTRICT JUDGE  
DATED: May 2, 2018